

Expedited Emergency Exemption (Section 18) Request

The New Jersey Department of Environmental Protection (NJDEP), Pesticide Evaluation and Monitoring, requests a specific emergency exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, for use of **bifenthrin**, formulated as the following three registered products:

FMC product Brigade WSB Insecticide / Miticide, EPA Reg. No. 279-3108;
UPI product Bifenture EC Agricultural Insecticide, EPA Reg. No. 70506-57;
UPI product Bifenture 10DF Insecticide / Miticide, EPA Reg. No. 70506-227.

on **apple, peach** and **nectarine** fruit to control the **Brown Marmorated Stinkbug (BMSB)**, and incorporates by reference all information submitted in the previous application dated **June 12, 2015**.

This is the **6th** year that **Professor Dean Polk of Rutgers University Experimental Station** has requested this use. **NJDEP** asks that this specific exemption request be processed as eligible for a expedited repeat exemption as allowed by 40 CFR 166.20(b)(5).

1. **X** Also in accordance with the regulations, NJDEP hereby certifies the following: (check one that applies for each numbered item) and, if applicable, attach additional information);
2. **X** The emergency condition(s) described in the previously submitted emergency exemption application continues to exist;
3. **X** All information submitted in the previously submitted emergency exemption application is still accurate;
4. **X** The proposed conditions of use are identical to the conditions of use, EPA authorized previously for the following 3 EPA File Symbols on 9/21/2015.

15-NJ-03 (apple), 15-NJ-04 (peach) and 15-NJ-05 (nectarine).

5. **X** There were no additional conditions or limitations on the eligibility for recertification identified in the previous notice of approval;
6. **X** The applicant has not newly become aware of any alternative chemical or nonchemical practice that may offer a meaningful level of pest control;
7. **X** A final or interim report dated **July 24, 2017 from Dean Polk, Rutgers Cooperative Extension**, is attached.